GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

MA&UD Department- Departmental proceedings initiated on the allegation of payment of additional freight charges and installation charges in purchase of electronic timers to street lights in Kakinada Municipality - Inquiry conducted against Sri G.S.N.Murthy, the then Municipal Commissioner, Kakinada (Retd). - Punishment imposed - Appeal Petition filed by Sri G.S.N.Murthy, the then Municipal Commissioner, Kakinada (Retd). – Orders of High Court – Rescinded the Punishment of 2.44% cut in pension permanently - Orders - Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No.441 **Dated.03.06.2024.**

Read the Following

1) G.O.Rt.No,731 MA&UD(Vig.III.1) dept., dt:13.09.2024
2) From the Hon'ble APAT., Hyderabad, Notice dated 25.07.2016 in O.A.No.2885 of 2016 filed by Sri G.S.N.Murthy, the then Municipal Commissioner, Kakinada Municipal Corporation and now retired.
3) W.P.No.17822/2021 filed by Sri GSN.Murthy, the then Municipal Commissioner, Kakinada (retired).
4) The Hon'ble High Court in its orders Dt.11.10.2022 in W.P.No.17822/2021
5) Appeal Petition of Sri G.S.N.Murthy, the then Municipal Commissioner, Kakinada (Retd) dt: 27.10.2022, 04.04.2024 and 15.04.2024.

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O R D E R:

Government issued orders in the G.O. 1st read above, imposing a punishment of 2.44% cut in pension permanently against Sri G.S.N.Murthy, the then Municipal Commissioner, Kakinada (Retd) on the allegation of payment of additional freight charges and installation charges in purchase of electronic timers to street lights in Kakinada Municipality.

2. In the reference 2nd and 3rd read above, aggrieved by the said punishment orders, Sri G.S.N.Murthy (retd) filed OA.No.2885/2016 and W.P.No.17822/2021 requesting to set aside the said punishment orders. In the reference 4th read above, the Hon'ble High Court, in its orders, Dt.11.10.2022 in W.P.No.17822/2021 held that;

" Having regard to the facts and circumstances of the case, this court is inclined to dispose of the W.P. with a direction to the writ petitioner to file a representation before respondent No.1 within a period of two weeks from the date of receipt of a copy of this order and thereafter respondent No.1 (i.e., Govt.,) is directed to consider the same and to pass appropriate orders thereon, on par with the case of Sri N.Nirmala Prasad and Dr.Nalajala Satyanarayana, whose punishment was modified as censure from minor penalty, vide G.O.Rt.No.1486, MA&UD (E1) Dept., Dt.18.11.2011, within a period of four weeks from the date of submission of the representation by the petitioner, in whose case cut of pension was modified as censure.

With the above direction, the W.P is disposed of".

(P.T.O)

3. In the reference 5th read above, Sri G.S.N.Murthy, the then Municipal Commissioner, Kakinada (Retd), while enclosing the orders of Hon'ble High court in W.P.No.17822/2021 has submitted an Appeal Petition, among others, stating that further action was dropped against Sri N. Satyanarayana and Sri Dattupanth and released all pensionary benefits to them and therefore requested to drop the punishment imposed on him in G.O.Rt.No.731, Dt.13.09.2014 on par with them and also keeping in view the orders of High Court.

4. Government after careful examination of the Court Orders, report of CDMA., and the Appeal Petition of Sri G.S.N.Murthy, the then Municipal Commissioner, Kakinada (Retd), it has been decided to rescind the punishment imposed in G.O.Rt.No.731, MA & UD Department, dated 13.09.2014 i.e. a penalty of 2.44% cut in pension permanently against Sri G.S.N.Murthy, the then Commissioner (Retd.), erstwhile Kakinada Municipality, to avoid further legal complication in the matter.

5. Accordingly, Government hereby order to rescind the punishment imposed in G.O.Rt.No.731, MA & UD Department, dated 13.09.2014 i.e. a penalty of 2.44% cut in pension permanently against Sri G.S.N.Murthy, the then Commissioner (Retd.), erstwhile Kakinada Municipality.

6. The Commissioner & Director of Municipal Administration, A.P., Guntur shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y.SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri G.S.N.Murthy, the then Commissioner (Retd.), erstwhile Kakinada Municipality, through the CDMA, A.P., Guntur.
The Commissioner & Director of Municipal Administration, A.P., Guntur (w.e.).
Copy to:
The AG., A.P., Vijayawada.
Concerned PAO.,
The APVC, A.P., Secretariat, 5th Block, Velagapudi.
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER.